

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of manure fragments, plant fragments, cow hair, and insect fragments.

DISPOSITION: October 6, 1947. A plea of nolo contendere having been entered on behalf of the defendant, a fine of \$75 was imposed.

12887. Adulteration of process cheese. U. S. v. 100 Cases * * *. (F. D. C. No. 23084. Sample No. 73522-H.)

LABEL FILED: June 20, 1947, Northern District of Ohio.

ALLEGED SHIPMENT: On or about May 16, 1947, by the Kraft Foods Co., from Freeport, Ill.

PRODUCT: 100 cases, each containing 12 2-pound boxes, of process cheese at Toledo, Ohio.

LABEL, IN PART: "Kraft American Pasteurized Process Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of manure fragments, insect fragments, and nondescript dirt, and by reason of the use of filthy milk in its preparation.

DISPOSITION: February 11, 1948. The Kraft Foods Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be disposed of in compliance with the law, under the supervision of the Federal Security Agency.

12888. Adulteration and misbranding of Cheddar cheese. U. S. v. Dubuque Cooperative Dairy Marketing Association, a corporation, and Charles C. Kauffmann. Pleas of guilty. Corporation fined \$200 and costs; individual fined \$20. (F. D. C. No. 22003. Sample Nos. 51078-H, 51485-H.)

INFORMATION FILED: December 10, 1947, Northern District of Iowa, against the Dubuque Cooperative Dairy Marketing Association, Dubuque, Iowa, and Charles C. Kauffmann, manager.

ALLEGED SHIPMENT: On or about March 18 and July 8, 1946, from the State of Iowa into the State of Wisconsin.

LABEL, IN PART: (One shipment) "Iowa White"; (remaining shipment) "Cheddar Cheese."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, milk fat, had been in part omitted from the product since it contained less than 50 percent of milk fat in its solids; and, Section 402 (b) (2), a substance containing less than 50 percent of milk fat in its solids, a portion of which contained more than 39 percent of moisture, had been substituted for Cheddar cheese, a standardized product.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for Cheddar cheese, since it contained in its solids less milk fat than required by the standard, and a portion contained more moisture than permitted by the standard; and, Section 403 (g) (2), one shipment failed further to conform to the definition and standard of identity, since it failed to bear the name of the food specified in the definition and standard, i. e., Cheddar cheese.

DISPOSITION: December 10, 1947. Pleas of guilty having been entered, the corporation was fined \$200 and costs and the individual defendant was fined \$20.

12889. Adulteration and misbranding of Cheddar cheese. U. S. v. 608 Boxes * * *. (F. D. C. No. 13292. Sample No. 66953-F.)

LABEL FILED: On or about August 25, 1944, Western District of Missouri.

ALLEGED SHIPMENT: On or about June 17, 1944, by Swift & Co., Salina, Kans.

PRODUCT: 608 boxes, each containing 3 20-pound daisies, of Cheddar cheese at Kansas City, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product deficient in milk fat had been substituted for Cheddar cheese.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for Cheddar cheese, since its solids contained less than 50 percent of milk fat, the minimum milk fat permitted by the regulations.

DISPOSITION: October 20, 1944. Swift & Company having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the portions that did not conform to the definition and standard of identity be reprocessed under the supervision of the Food and Drug Administration.

12890. Adulteration and misbranding of Cheddar cheese. U. S. v. 119 Boxes
* * *. (F. D. C. No. 23553. Sample No. 87222-H.)

LABEL FILED: August 6, 1947, District of Massachusetts.

ALLEGED SHIPMENT: On or about June 10, 1947, by the Kraft Foods Co., from Troy, Vt.

PRODUCT: 119 boxes, each containing 40-pounds, of Cheddar cheese at Boston, Mass.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product deficient in milk fat had been substituted in whole or in part for Cheddar cheese.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for Cheddar cheese, since it contained in its solids less than 50 percent of milk fat, the minimum permitted by the definition and standard.

DISPOSITION: September 19, 1947. The Kraft Foods Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for conversion into processed cheese or cheese food containing the requisite fat requirements, or other legal product, under the supervision of the Federal Security Agency.

12891. Adulteration of Cheddar cheese. U. S. v. 153 Boxes, etc. (F. D. C. No. 23380. Sample Nos. 60483-H, 60484-H, 60493-H to 60495-H, incl., 60499-H, 60500-H.)

LABEL FILED: July 29, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 25, 1947, by the Supreme Dairy Products Co., from Toluca, Ill.

PRODUCT: 345 70-pound boxes of Cheddar cheese at Curwensville, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of manure fragments and insect fragments, and by reason of the use of filthy milk in its preparation.

DISPOSITION: March 12, 1948. Default decree of condemnation and destruction.

12892. Adulteration of Cheddar cheese. U. S. v. 154 Boxes * * *. (F. D. C. No. 23379. Sample Nos. 60496-H to 60498-H, incl.)

LABEL FILED: July 29, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 21, 1947, by the Supreme Dairy Products Co., from Macomb, Ill.

PRODUCT: 154 boxes, each containing approximately 70 pounds, of Cheddar cheese at Curwensville, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and manure fragments, and by reason of the use of filthy milk in its preparation; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 12, 1948. Default decree of condemnation and destruction. The Supreme Dairy Products Co., Macomb, Ill., having appeared as claimant, but subsequently having withdrawn its claim and answer, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS DAIRY PRODUCTS*

12893. Adulteration of ice cream. U. S. v. Samuel G. Steele (Steele's Dairy). Plea of guilty. Fine, \$50 and costs. (F. D. C. No. 20979. Sample No. 40464-H.)

INFORMATION FILED: September 2, 1946, Western District of Missouri, against Samuel G. Steele, an individual trading as Steele's Dairy, at West Plains, Mo.

*See also No. 12873.